IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

OP.No. 13358 of 2001(M)

PETITIONER:

P.DHARMARAJ, TECHNICAL SUPERVISOR (MANAGER I – CHARGE), SALES EMPORIUM, KERALA SMALL INDUSTRIES, DEVELOPMENT CORPORATION LTD., (SIDCO), SPENCER JUNCTION, TRIVANDRUM.

BY ADV. SRI.N.NANDAKUMARA MENON

RESPONDENTS:
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1. **THE KERALA SMALL INDUSTRIES DEVELOPMENT CORPORATION LTD., (SIDCO), REP.BY ITS MANAGING DIRECTOR, HOUSING BOARD BUILDINGS SANTHI NAGAR, THIRUVANANTHAPURAM 695 001.**

2. **K.J.JOHN, TECHNICAL SUPERVISOR , SIDCO WORKING UNIT, CALICUT.**

3. **K.P.MULAEDDHARAN PILLAI, TECHNICAL SUPERVISOR, SIDCO WOOD WORKING UNIT, CALICUT.**

4. **E.T.VARGHESE, TECHNICAL SUPERVISOR, SIDCO SERVICE WORKSHOP, OLLUT, TRICHUR.**

5. **K.MURALEEDHARAN, TECHNICAL SUPERVISOR SIDCO TOOLS, UMAYANELLOOR , QUILON.**

BY ADV. SRI.M.A.MANHU, SC, SIDCO

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 23/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP. NO. 13358/2001

ORDER ON CMP. NO. 21258/2001 IN OP. 13358/2001

DISMISSED

23.11.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE APPOINTEMENT ORDER NO.PER (1)B/3295/82 DT. 13.1.84 ISSUED TO THE PETITIONER BY THE IST RESPONDENT.

EXT.P2:- COPY OF THE ORDER NO.PER (1) 3295/84 DT. 10.1.85 ISSUED TO THE PETITIONER BY THE IST RESPONDENT.

EXT.P3:- COPY OF THE ORDER NO.STA/493/83-84 DT. 10.1.86 ISSUED TO THE PETITIONER BY THE IST RESPONDENT.

EXT.P4:- COPY OF THE PROCEEDINGS NO. PER (1)/14390/84 DT. 15.7.86 OF THE IST RESPONDENT.

EXT.P5:- COPY OF THE JUDGMENT DT. 8.3.99 IN OP. NO.11622/90 PASSED BY THE HONOURABLE HIGH COURT OF KERALA.

EXT.P6:- COPY OF THE ORDER G.O.(MS) NO.105/2000/ID DT. 28.7.2000 ISSUED BY THE GOVERNMENT OF KERALA.

EXT.P7:- COPY OF THE PROCEEDINGS NO.PER (7)/27013/89 DT. 22.9.2000 OF THE IST RESPONDENT.

EXT.P7(a):- COPY OF THE REPRESENTATION DT. 27.10.2000 SUBMITTED BY THE PETITIONER BEFORE THE MANAGING DIRECTOR OF THE IST RESPONDENT.

EXT.P8:- COPY OF THE NOTICE NO.PER/CP/9727/95 DT. 7.2.2001 ISSUED BY THE IST RESPONDENT.

EXT.P9:- COPY OF THE REPRESENTATION DT. 22.2.01 SUBMITTED BY THE PETITIONER BEFORE THE MANAGING DIRECTOR OF THE IST RESPONDENT.

EXT.P10:- COPY OF THE SENIORITY LIST IN THE CATEGORY OF TECHNICAL SUPERVISOR IN THE IST RESPONDENT CORPORATION AS ON 1.7.92.

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EXT.P11:- COPY OF THE PROCEEDINGS NO.PER/CP/9727/5 DT. 15.3.01 ISUED BY THE IST RESPONDENT.

EXT.P12:- COPY OF THE NOTICE NO.PER(7)/27013/89 DT. 30.6.98 ISSUED TO THE PETITIONER BY THE IST RESPONDENT.

EXT.P13:- COPY OF THE NOTICE NO.8400/F2/98/ID DT. 24.6.98 ISSUED TO THE PETITIONER BY THE GOVERNMENT.

EXT.P14:- COPY OF THE MEMO NO. PER (1)/17068/93 DT. 20.7.99 ISSUED TO THE PETITIONER BY THE IST RESPONDENT.

EXT.P15:- COPY OF THE PROCEEDINGS NO.PER (2)/17476/95 DT. 17.10.95 ISSUED BY THE IST RESPONDENT.

EXT.P16:- COPY OF THE NOTIFICATION DT. 6.12.04 ISSUED BY THE IST RESPONDENT.

EXT.P17:- COPY OF THE LIST OF CANDIDATES CALLED FOR THE INTERVIEW.

EXT.P18:- COPY OF THE EXTRACT OF THE RULE RELATING TO QUALIFICATION & METHOD OF APPOINTMENT OT THE POST OF TECHNICAL SUPERVISOR.

EXT.P19:- COPY OF THE EXTRACT OF THE RULE RELATING TO QUALIFICATION & METHOD OF APPOINTEMENT TO THE POST OF MANAGER GRADE II.

EXT.P20:- COPY OF THE ORDER DT. 15.12.04 IA. NO.17310/04 IN OP. 13358/01 PASSED BY THE HONOURABLE HIGH COURT OF KERALA AT ERNAKULAM.

EXT.P21:- COPY OF THE MEMO NO.PER(1) 3345/04 DT. 17.12.04 ISSUED BY THE ADMINISTRATIVE OFFICER FOR MANAGING DIRECTOR KERALA SMALL INDUSTRIES DEVELOPMENT CORPORATION LTD. TVM TO THE PETITIONER.

EXT.P22:- COPY OF THE PROCEEDINGS OF THE MANAGING DIRECTOR KERALA SMALL INDUSTRIES DEVELOPMENT CORPORATION LTD., TVM NO.PER (1)/3345/04 (1) DT. 1.1.05.

/TRUE COPY/

P.A. TO JUDGE

tss

KURIAN JOSEPH, J.

O.P. NO. 13358 OF 2001

Dated this the 23rd day of November, 2007.

J U D G M E N T

Petitioner approached this Court with certain grievances with regard to his seniority and promotion. In view of the intervening developments, it is submitted that what survives is only revision of seniority taking into account the period of contract service from 13.01.1984. It is further submitted that such benefits have been granted to similarly situated persons.

2. It is for the petitioner to make an appropriate representation before the first respondent. In the event of such a representation being filed by the petitioner within a period of one month from today, the first respondent shall consider the same in the light of Exhibits P6 and P7 and also similar orders passed in the case of similarly situated persons, and the eligible benefits shall be granted to the petitioner within a period of another three months. The grievance regarding regularisation in the concerned posts shall also be considered by the first respondent. Appropriate action in that regard shall also be taken within the above period.

This original petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NO. 13358 OF 2001

J U D G M E N T

23.11.2007